

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Leo McClam,

Plaintiff,

VS.

Joe Waldo,

Defendant.

C.A. No. 3:07-3827-TLW-JRM

ORDER

The Plaintiff brought this *pro se* civil action against the Defendant under 42 U.S.C. § 1983. The Plaintiff is confined in an institution of the South Carolina Department of Mental Health, and his claims center around his alleged verbal abuse in the institution.

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed December 6, 2007, by United States Magistrate Judge Joseph McCrorey, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge McCrorey recommends that the Plaintiff’s complaint be dismissed without prejudice and without issuance and service of process. Magistrate Judge McCrorey also recommends that the Plaintiff be denied *in forma pauperis* status in this case. Plaintiff has not objected to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of

objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

In light of this standard, the Court has carefully reviewed the Report and has concluded that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 7), and Plaintiff's claim is dismissed without prejudice. The Plaintiff's motion for leave to proceed *in forma pauperis* is denied, and the Plaintiff is therefore required to pay the \$350 filing fee associated with this action.

IT IS SO ORDERED.

S/ Terry L. Wooten

TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

June 16, 2008
Florence, South Carolina